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REMARKS

The present Response is submitted in reply to the Official Action of March 7, 2005 and the Applicant respectfully requests a one month extension of the period in which to respond.

Claims 4-12 are presently pending in the Application and the Examiner rejects claims 6-9 under 35 U.S.C. § 112, first paragraph, due to an inadequate written description and claims 4-12 under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejections under 35 U.S.C. 112 are acknowledged and respectfully traversed in view of the following remarks.

First considering the rejection of claims 6-9 under 35 U.S.C. § 112, first paragraph, and, in particular, the rejection of claim 6, the Examiner stated with respect to claims 6 that the recitation "wherein a first wired LAN system is connected to the bi-directional CATV system via a transmission line of the bi-directional CATV system" is not supported in the original specification.

Upon review of claim 6 and claims 7-9, the Applicant believes that the rejection of claim 6 and thus of claims 7-9 for lack of support for the phrase "wherein a first wired LAN system is connected to the bi-directional CATV system via a transmission line of the bi-directional CATV system" is due to an incorrect use of the term LAN in claim 6, which is reflected in claims 7-9. In response, therefore, and after further consideration of claims 6-9, the Applicant amended claim 6 by deleting the recitation of a "first wired LAN system" therefrom. It must also be noted that the Applicant also has claims 8 and 12, which contained recitations of a "second wired LAN system" and a "wired LAN system".

It is, therefore, the Applicant's belief and position that the above discussed amendment to claim 6 and the cancellations of claims 8 and 12 meet and overcome the grounds for rejection of claims 6-9 and the Applicant respectfully requests that the Examiner reconsider and withdraw all rejections of the claims under 35 U.S.C. § 112, first paragraph.

Next considering the rejection of claims 4-12 under 35 U.S.C. § 112, second paragraph, the Examiner rejects claims 4 and 10 on the grounds that it is not clear if the bi-directional

CATV system includes a wireless LAN system, referring specifically to the recitations that “the bi-directional CATV system uses a first frequency band and a second frequency band for transmitting upward signals” and, in consequence, to “a wireless LAN system to be connected to a bi-directional CATV system”. The Examiner then rejects claims 5, 11 and 12 as directly or indirectly dependent from rejected base claims 4 or 10.

In response, the Applicant amended the claims in questions to more clearly and explicitly recite that the two upward signal transmission bands are used for transmitting the upward signals via the cable transmission path, and that the two upward signal transmission bands are thereby not used for wireless transmission of the upward signals, as was interpreted by the Examiner.

Further in this regard, it should be noted that the Applicant amended claim 6 (thus dependent claims 7-9 of the claim 6), as discussed above, by deleting the recitation of a “wired LAN” therefrom.

It is thereby the belief and position of the Applicant that the above described amendments to the claims meet and overcome the grounds for rejection of the claims under 35 U.S.C. § 112, second paragraph, and that the presently pending claims now particularly point out and distinctly claim the subject matter regarded as the invention. It should also be noted that the entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case and have not added any new matter to the Application or claims and have not altered the subject matter or scope of the invention or the claims. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all rejections of the claims under 35 U.S.C. § 112, second paragraph.

Next, the Examiner also rejects claims 4, 5, 10 and 11, under 35 U.S.C. § 102(e), as anticipated by Bianchi et al. `479 and rejects claims 6-9 and 12, under 35 U.S.C. § 103(a), as unpatentable over Bianchi `479 in view of Ohta `277. The Applicant acknowledges and respectfully traverses the raised rejections in view of the following remarks.

First, considering the rejection of claims 4, 5, 10 and 11 over Bianchi et al. `479 under 35 U.S.C. § 102(e), independent claims 4 and 10 each include recitations of two frequency bands for the upward signal via the cable transmission path, with these recitations being incorporated into dependent claims 5 and 11 by dependency, and the Examiner cites Fig. 7 in Bianchi `479 as teaching the use of more than one transmission band for upward signals.

The Applicant respectfully disagrees with the Examiner's interpretation of the teachings of Bianchi `479. For example, at column 7, lines 13-19, Bianchi `479 describes Fig. 7 as showing "an alternate embodiment of the CAP 14 that uses a direct RF translator 38-3 to interface between the CATV transport medium 15 and the 802.11 format signals in the unlicensed ISM bands (e.g., 2.4 GHz or 5.8 GHz). In particular, the analog distribution network signals in the 5-750 MHz band are translated in frequency up to an ISM band carrier by the RF translator 38-3".

According to Bianchi `479, therefore, such as at column 4, lines 55-65; column 5, lines 28-35; column 7, lines 13-19 and Fig.2, each frequency band is used for transmission through a corresponding separate section of the transmission path. For example, the frequency in the section of path between the translator 38-3 and the wireless computing equipment is either 2.4 GHz or 5.8 GHz, but not both, the frequency in section of the path past the translator 38-3 is in the range of 5-750 MHz and is comprised of a single 5-40 MHz upward signal and a single 50-750 MHz downward signal.

It is, therefore, apparent that in Bianchi `479 there is no section of transmission path having two concurrently operating upward frequencies, as is recited in independent claims 4 and 6, 10 and 13. In a like manner, there is no section of transmission path in Bianchi `479 where three concurrently operating frequencies are used, nor any suggestion of such, as is recited in dependent claims 5, 7 and 11. In summary, therefore, Bianchi `479 does not teach, suggest nor in any way disclose the use of multiple parallel transmission frequencies in any section of the transmission path or paths of the Bianchi `479 system, so that Bianchi `479 does not teach, suggest or in any way disclose this aspect of the present invention. It may also be

seen that this aspect of the present invention is recited directly or indirectly, by incorporation by dependence, in claims 4, 5, 10 and 11.

It is, therefore, the Applicant's belief and position that claims 4, 5, 10 and 11 are fully and patentably distinguished over and from the teachings and suggestions of Bianchi '479 under the requirements and provisions of 35 U.S.C. 102 for the reasons discussed above. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all rejections of claims 4, 5, 10 and 11, and allow the claims as amended herein above.

Now considering the rejection of claims 6-9 and 12 under 35 U.S.C. § 103(a) over Bianchi '479 in view of Ohta '277, the Examiner cites Bianchi '479 for the same teachings as discussed above and cites Ohta '277 solely for the teaching of connecting terminal stations to a CATV system by a LAN.

Assuming solely for purposes of discussion, and without any admission, concession or agreement on the part of the Applicant regarding the pertinence of Ohta '277 to the present invention, and noting that claims 8 and 12 are herein above canceled, it must be noted that claims 6-7 and 9 are distinguished over and from the teachings of Bianchi '479 for the reasons discussed above. That is, claims 6-7 and 9 include the recitation, either directly or by inheritance through dependency, of the use of multiple parallel transmission frequencies in a given section of the transmission path. As discussed above, Bianchi '479 does not teach, suggest nor in any way disclose the use of multiple parallel transmission frequencies in any section of the transmission path or paths of the Bianchi '479 system, so that Bianchi '479 does not teach, suggest nor in any way disclose this aspect of the present invention.

Further in this regard, Ohta '277 likewise does not teach, suggest nor in any way disclose the use of multiple parallel transmission frequencies in any section of a transmission path, so that, like Bianchi '479, Ohta '277 does not teach, suggest nor in any way disclose this aspect of the present invention. In fact, the Examiner cites Ohta '277 only for the teaching of connecting terminal stations to a CATV system by a LAN.

For the reason that neither Bianchi `479 nor Ohta `277 teaches, suggests or in any way discloses the use of multiple parallel transmission frequencies in any section of a transmission path, there is no combination of Bianchi `479 and Ohta `277 that could teach, suggest or in any way disclose the use of multiple parallel transmission frequencies in any section of a transmission path. As a result, there is no combination of Bianchi `479 and Ohta `277 that could or does teach or suggest this aspect of the present invention and, as a consequence, any other teachings contained in Ohta `277 are effectively immaterial as regards the patentability of claims 6-7 and 9 over the combination of Bianchi `479 in view of Ohta `277.

It is, therefore, the Applicant's belief and position that claims 6, 7 and 9 are fully and patentably distinguished over and from the teachings and suggestions of Bianchi `479, and of Ohta `277, and of Bianchi `479 in view of Ohta `277 under the requirements and provisions of 35 U.S.C. § 103 for the reasons discussed above. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all rejections of claims 6, 7 and 9, and allow the claims as amended herein above.

Lastly, it will be noted that the Applicant enters new claims 13-16 for consideration and new claims 13-16 are fully and completely based upon the aspects of the invention that are discussed herein above, so that claims 13-16 are likewise fully and patentably distinguished over and from Bianchi `479, and Ohta `277, and Bianchi `479 in view of Ohta `277 under the requirements and provisions of 35 U.S.C. § 103 and 35 U.S.C. § 102. It should also be noted that new claims 13-19 do not add any new matter to the present Application. The Applicant therefore respectfully requests the entry and allowance of new claims 13-16 as submitted herein above. New claims 13-16 are believed to be allowable for the above discussed reasons.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the

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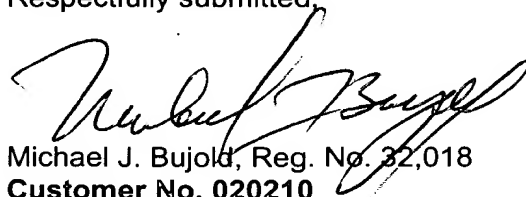
Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Bianchi et al. '479 and/or Ohta '277 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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